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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,177	10/22/2001	Steven D. White	3060	7316

7590 05/10/2004

Law Office of Albert S. Michalik PLLCq
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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,177

Applicant(s)

WHITE ET AL.

Examiner

William C. Vaughn, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

WCV

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 25 February 2004.

Response to Arguments

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 10-15 and 23** are rejected under 35 U.S.C. 102(b) as being anticipated by

Ferguson et al. (Ferguson), U.S. Patent No. 5,819,092.

5. Regarding **independent claim 10**, discloses *in a computer network, a method comprising: communicating data from a first service to a second service using a service-to-service communication protocol, the data including change data of at least one user of the first service* [see Ferguson, Col. 11, lines 10-26]; *receiving the data at the second service* [see Ferguson, Col. 11, lines 19-26]; *and updating information at the second service based on the change data* (Ferguson teaches automatically updating another online service), [see Ferguson, Col. 11, lines 15-26]. By this rationale **independent claim 10** is rejected.

6. Regarding **dependent claims 11-15**, the limitations of these claims are taught within the disclosure and figures of Ferguson-Veldhuisen.

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7. **Claim 23** list all the same elements of **claim 10**, but in computer-readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claim 10** applies equally as well to **claim 23**.

Claim Rejections - 35 USC § 102

8. **Claims 16-22 and 24** are rejected under 35 U.S.C. 102(b) as being anticipated by Ferguson et al. (Ferguson), U.S. Patent No. 5,819,092.

9. Regarding **independent claim 16**, discloses *in a computer network, a method comprising: receiving a change from a user at a first service [see Ferguson, Col. 11, lines 10-26]; and communicating change data from a first server to a second service that subscribes to change information from the first server, the change communicated automatically via a service-to-service communications protocol [see Ferguson, Col. 11, lines 7-67].* By this rationale **independent claim 16** is rejected.

10. Regarding **dependent claims 17-22**, the limitations of these claims are taught within the disclosure of Ferguson-Veldhuisen.

11. **Claim 24** list all the same elements of **claim 16**, but in computer-readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claim 16** applies equally as well to **claim 24**.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. **Claims 1-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al. (Ferguson), U.S. Patent No. 5,819,092 in view of Veldhuisen, U.S. Patent No. 6,480,850.

14. Regarding **independent claim 1**, Ferguson discloses the invention substantially as claimed. Ferguson discloses *in a computer network, a system comprising: a first service for providing access to data based on an associated identity of each user* (Ferguson teaches controlling access to information by utilizing passwords encryption and assigning specific access rights to specific users), [see Ferguson, Col. 11, lines 10-26 and Col. 12, lines 23-27]; *a second service for providing access to data based on an associated identity of each user* (Ferguson teaches having multiple online services having the capability to communicate between each other utilizing a service-to-service protocol as well as further teaching the controlling access to information by utilizing passwords encryption and assigning specific access rights to specific users), [see Ferguson, Col. 11, lines 10-26 and Col. 12, lines 23-27]; *and a communications mechanism configured to exchange information between the first service and the second server* [see Ferguson, Col. 11, lines 10-26], *the first service configured as a publisher of change data made by user via the first service, and the second service configured as a subscriber of the change data, the communication mechanism communicating change information of the first service to the second service using a service-to-service communication protocol* (Ferguson teaches pass along user registration data to another online service), [see Ferguson, Col. 11, lines 10-26]. However, does not disclose determining a role of each subscribing user and filter the data based on each determined role.

15. In the same field of endeavor, Veldhuisen discloses (e.g., system and method for managing data privacy within a management system for storing data from a plurality of

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consumer databases). Velhuisen discloses determining a role of each subscribing user and filter the data based on each determined role [see Veldhuisen, Col. 8, lines 16-67].

16. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Veldhuisen's teachings of a system and method for managing data privacy within a management system for storing data from a plurality of consumer databases with the teachings of Ferguson, for the purpose of controlling access to personal data [see Ferguson, Col. 2, lines 36-62]. By this rationale **independent claim 1** is rejected.

17. Regarding **dependent claims 2-9**, the limitations of these claims are taught within the figures and disclosure of Ferguson-Veldhuisen. Furthermore, with regards to wherein the communicating of the change information comprises communicating of the change information comprises communicating a batch of similar change information from the first service to the second service [see Veldhuisen, Col. 8, lines 59-67]. The same motivation that was utilized in the combination of independent claim 1, applies equally as well to the dependent claims.

Response to Arguments

18. Again, it is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique (see Applicant's specification, pages

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34 and 46). As it is extremely well known in the networking art as already shown by Ferguson-Veldhuisen and other prior arts of records disclosed, for of datasharing and communicating between services based upon a role as well as utilizing a service-to-service protocol as the communication mechanism as well as other claimed features of Applicant's invention. Thus, it is clear that Applicant must submit amendments to the claims in order to distinguish over the prior art use in the rejection that discloses different features of Applicant's claim invention.

19. Applicant has had numerous opportunities to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying or substantially narrowing the claim language. Thus, Applicant apparently intends that a broad interpretation be given to the claims and the Examiner has adopted such in the present and previous Office action rejections. See *In re Prater and Wei*, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

20. Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly, define the claimed invention.

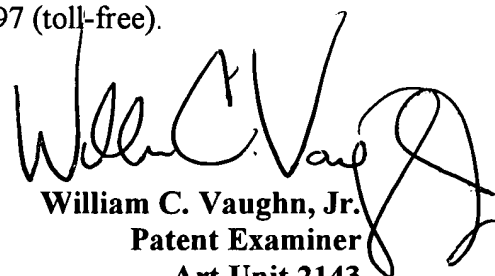
Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C. Vaughn, Jr.
Patent Examiner
Art Unit 2143
29 April 2004